

Dec. 20, 2013, 127 Stat. 659; Pub. L. 114-58, title IV, § 402, Sept. 30, 2015, 129 Stat. 534.)

REFERENCES IN TEXT

The date of the enactment of this section, referred to in subsec. (f), is the date of enactment of Pub. L. 110-389, which was approved Oct. 10, 2008.

AMENDMENTS

2015—Subsec. (d)(4). Pub. L. 114-58 substituted “2016” for “2015”.

2013—Subsec. (b)(4). Pub. L. 113-59, § 4(b), substituted “cooperate with entities with significant experience in managing large-scale adaptive sports programs;” for “cooperate with the United States Olympic Committee and its partners to promote the participation of disabled veterans and disabled members of the Armed Forces in sporting events sponsored by the United States Olympic Committee and its partners;”.

Pub. L. 113-37, § 2(a)(2), substituted “United States Olympic Committee” for “United States Paralympics, Inc.,” in two places.

Subsec. (d)(1). Pub. L. 113-37, § 2(a)(2), substituted “United States Olympic Committee” for “United States Paralympics, Inc.,” wherever appearing.

Subsec. (d)(4). Pub. L. 113-59, § 4(a), substituted “through 2015.” for “through 2013 and \$500,000 for the period beginning October 1, 2013, and ending December 31, 2013.”

Pub. L. 113-37, § 2(a)(1), inserted “and \$500,000 for the period beginning October 1, 2013, and ending December 31, 2013” before period at end.

Subsecs. (e), (f). Pub. L. 113-59, § 4(c), added subsec. (e) and redesignated former subsec. (e) as (f).

EFFECTIVE DATE OF 2013 AMENDMENT

Pub. L. 113-37, § 4, Sept. 30, 2013, 127 Stat. 525, provided that:

“(a) EFFECTIVE DATE.—This Act [see Short Title of 2013 Amendment note set out under section 101 of this title] shall take effect on October 1, 2013, except that Section [sic] 2(a) [amending this section] shall take effect on September 30, 2013.

“(b) RATIFICATION.—If this Act is not enacted on or before September 30, 2013, any actions undertaken by the Department of Veterans Affairs under the authorities extended by this Act during the period beginning on such date and ending on the date of the enactment of this Act [Sept. 30, 2013] shall be deemed ratified.”

FINDINGS AND PURPOSE

Pub. L. 110-389, title VII, § 701, Oct. 10, 2008, 122 Stat. 4180, provided that:

“(a) FINDINGS.—Congress makes the following findings:

“(1) In 1998, Congress enacted the Olympic and Amateur Sports Act Amendments of 1998 (33 [36] U.S.C. 101 note) [see Short Title of 1998 Amendment note set out under section 101 of Title 36, Patriotic and National Observances, Ceremonies, and Organizations], which amended chapter 2205 of title 36, United States Code, and included a statement that the purpose of the Act was ‘to encourage and provide assistance to amateur athletic programs and competition for amateur athletes with disabilities, including, where feasible, the expansion of opportunities for meaningful participation by such amateur athletes in programs of athletic competition for able-bodied amateur athletes’.

“(2) The United States Olympic Committee manages and administers the Paralympic Program for physically disabled athletes.

“(3) The Department of Veterans Affairs provides health care to veterans and administers recreational activities for patients including the Golden Age Games, the National Veterans Wheelchair Games, and the Winter Sports Clinic.

“(4) In 2005, the United States Olympic Committee entered into a memorandum of understanding with

the Secretary of Veterans Affairs to increase interest in and access to Paralympic sports programs for veterans with physical disabilities by coordinating the activities of the United States Olympic Committee with the Department of Veterans Affairs.

“(5) The Paralympic Program has a significant positive effect on the quality of life of disabled veterans and disabled members of the Armed Forces who participate in the program, including helping to improve the mobility, vitality, and physical, psychological, and social well-being of such participants and reducing the incidence of secondary medical conditions in those participants.

“(6) Because of Operation Iraqi Freedom and Operation Enduring Freedom, the number of disabled veterans and disabled members of the Armed Forces has increased substantially and it is therefore desirable to supplement the rehabilitation and recreation programs of the Department of Veterans Affairs through sports for disabled veterans and members of the Armed Forces.

“(b) PURPOSE.—The purposes of this title [enacting this section, section 521A of this title, and provisions set out as notes under section 521A of this title] are as follows:

“(1) To promote the lifelong health of disabled veterans and disabled members of the Armed Forces through regular participation in physical activity and sports.

“(2) To enhance the recreation activities provided by the Department of Veterans Affairs by promoting disabled sports from the local level through elite levels and by creating partnerships among organizations specializing in supporting, training, and promoting programs for disabled veterans.

“(3) To provide training and support to national and local organizations to provide Paralympic sports training to disabled veterans and disabled members of the Armed Forces in their own communities.

“(4) To provide support to the United States Paralympics, Inc., to increase the participation of disabled veterans and disabled members of the Armed Forces in sports.”

CHAPTER 5—AUTHORITY AND DUTIES OF THE SECRETARY

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Sec.
532. Authority to advertise in national media;
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AMENDMENTS

2015—Pub. L. 114-58, title VI, § 601(2), Sept. 30, 2015, 129 Stat. 538, which directed amendment of this analysis by striking item “521A” and adding item 521A, was executed by striking item 512A “Adaptive sports programs for disabled veterans and members of the Armed Forces” and adding item 521A, to reflect the probable intent of Congress.

2013—Pub. L. 113-59, § 5(h)(2), Dec. 20, 2013, 127 Stat. 662, which directed amendment of this analysis by striking item 521A and adding item “512A”, was executed by striking item 521A “Assistance for United States Olympic Committee” and adding item 512A in the position for item 521A, to reflect the probable intent of Congress.

Pub. L. 113-37, § 2(b)(3), Sept. 30, 2013, 127 Stat. 524, added item 521A and struck out former item 521A “Assistance for United States Paralympics, Inc.”

2012—Pub. L. 112-154, title VII, §§ 707(b), 709(b)(2), Aug. 6, 2012, 126 Stat. 1207, 1208, added item 517 and substituted “Authority to advertise in national media; VetStar Award Program” for “Authority to advertise in national media” in item 532.

2008—Pub. L. 110-389, title II, § 214(b), title VII, § 702(b), title VIII, § 809(b), Oct. 10, 2008, 122 Stat. 4154, 4183, 4190, added items 521A, 532, and 546.

1998—Pub. L. 105-368, title IX, § 906(b), title X, § 1001(a)(2), Nov. 11, 1998, 112 Stat. 3362, 3363, added items 530 and 531.

1997—Pub. L. 105-114, title I, § 101(a)(2), Nov. 21, 1997, 111 Stat. 2279, added item 516.

1996—Pub. L. 104-262, title III, § 333(a)(2), Oct. 9, 1996, 110 Stat. 3200, added item 545.

1994—Pub. L. 103-446, title V, § 510(b), Nov. 2, 1994, 108 Stat. 4670, added item 544.

1992—Pub. L. 102-405, title I, § 105(b)(2), Oct. 9, 1992, 106 Stat. 1976, added item 543.

SUBCHAPTER I—GENERAL AUTHORITIES

§ 501. Rules and regulations

(a) The Secretary has authority to prescribe all rules and regulations which are necessary or appropriate to carry out the laws administered by the Department and are consistent with those laws, including—

- (1) regulations with respect to the nature and extent of proof and evidence and the method of taking and furnishing them in order to establish the right to benefits under such laws;
- (2) the forms of application by claimants under such laws;
- (3) the methods of making investigations and medical examinations; and
- (4) the manner and form of adjudications and awards.

(b) Any rule, regulation, guideline, or other published interpretation or order (and any amendment thereto) issued pursuant to the au-

thority granted by this section or any other provision of this title shall contain citations to the particular section or sections of statutory law or other legal authority upon which such issuance is based. The citation to the authority shall appear immediately following each substantive provision of the issuance.

(c) In applying section 552(a)(1) of title 5 to the Department, the Secretary shall ensure that subparagraphs (C), (D), and (E) of that section are complied with, particularly with respect to opinions and interpretations of the General Counsel.

(d) The provisions of section 553 of title 5 shall apply, without regard to subsection (a)(2) of that section, to matters relating to loans, grants, or benefits under a law administered by the Secretary.

(Added Pub. L. 102-83, § 2(a), Aug. 6, 1991, 105 Stat. 386.)

PRIOR PROVISIONS

Prior section 501 was renumbered section 1501 of this title.

Provisions similar to those in this section were contained in sections 210(c)(1) and 223(a), (b) of this title prior to repeal by Pub. L. 102-83, § 2(a).

§ 502. Judicial review of rules and regulations

An action of the Secretary to which section 552(a)(1) or 553 of title 5 (or both) refers is subject to judicial review. Such review shall be in accordance with chapter 7 of title 5 and may be sought only in the United States Court of Appeals for the Federal Circuit. However, if such review is sought in connection with an appeal brought under the provisions of chapter 72 of this title, the provisions of that chapter shall apply rather than the provisions of chapter 7 of title 5.

(Added Pub. L. 102-83, § 2(a), Aug. 6, 1991, 105 Stat. 386; amended Pub. L. 110-389, title I, § 102, Oct. 10, 2008, 122 Stat. 4148.)

PRIOR PROVISIONS

Prior section 502 was renumbered section 1502 of this title.

Provisions similar to those in this section were contained in section 223(c) of this title prior to repeal by Pub. L. 102-83, § 2(a).

AMENDMENTS

2008—Pub. L. 110-389 struck out “(other than an action relating to the adoption or revision of the schedule of ratings for disabilities adopted under section 1155 of this title)” after “refers”.

§ 503. Administrative error; equitable relief

(a) If the Secretary determines that benefits administered by the Department have not been provided by reason of administrative error on the part of the Federal Government or any of its employees, the Secretary may provide such relief on account of such error as the Secretary determines equitable, including the payment of moneys to any person whom the Secretary determines is equitably entitled to such moneys.

(b) If the Secretary determines that a veteran, surviving spouse, child of a veteran, or other person has suffered loss as a consequence of reliance upon a determination by the Department